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**UNITED STATES DISTRICT COURT**

**WESTERN DISTRICT OF LOUISIANA**

**MONROE DIVISION**

**TOBIAS M. LATTIER**  
**LA. DOC #488409**

**CIVIL ACTION NO. 09-0339**

**VERSUS**

**JUDGE ROBERT G. JAMES**

**ALLEN CUPP, ET AL.**

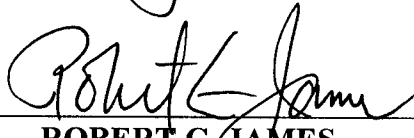
**MAG. JUDGE KAREN L. HAYES**

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record,

**IT IS ORDERED** that Plaintiff's only remaining claim against Lt. Ham be **DISMISSED WITHOUT PREJUDICE** in accordance with the provisions of Fed. R. Civ. P. 41(b) and LR 41.3. The Clerk of Court is instructed to close this case.

MONROE, LOUISIANA, this 12 day of January, 2010.

  
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**ROBERT G. JAMES**  
**UNITED STATES DISTRICT JUDGE**